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Attorneys for Debtor, Tulare Local Healthcare District,
dba Tulare Regional Medical Center

IN THE UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

CASE NO. 17-13797

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Chapter 9

DC No.: WW-34

Debtor.

Date: November 15, 2018

Time: 9:30 a.m.

Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13

Tax ID #: 94-6002897
Address: 869 N. Cherry St.
Tulare, CA 93274

Judge: Honorable René Lastreto II

EXHIBITS IN SUPPORT OF MOTION FOR ORDER APPROVING AGREEMENT
RELATING TO RELIEF FROM THE AUTOMATIC STAY (GUTIERREZ)

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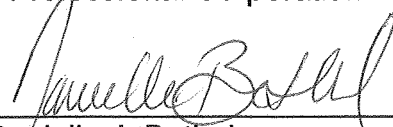
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Exhibits	Description	Pages
A	STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362	3
B	[Proposed] ORDER APPROVING AGREEMENT RELATING TO RELIEF FROM THE AUTOMATIC STAY	5

Dated: October 24, 2018

WALTER WILHELM LAW GROUP,
a Professional Corporation


Danielle J. Bethel,
Attorneys for Debtor, Tulare Local
Healthcare District, dba Tulare Regional
Medical Center

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Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Dept. B, Fifth Floor
Judge: Honorable René Lastreto II

STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO 11 U.S.C. § 362

TULARE LOCAL HEALTHCARE DISTRICT, dba Tulare Regional Medical Center
(the "District") and SENOVIA GUTIERREZ ("Plaintiff"), by and through their respective
counsel, hereby enter into the within Stipulation for Relief from the Automatic Stay
pursuant to 11 U.S.C. § 362 (the "Stipulation"). The Stipulation is made with reference
to the following:

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EXHIBIT A
Page 1 Of 3

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3 **STIPULATION AND AGREEMENT**

4 NOW, THEREFORE, subject to Court approval, the parties hereby stipulate and
5 agree as follows:

6 1. The Automatic Stay pursuant to 11 U.S.C. § 362 shall be modified to allow the
7 Lawsuit to continue for the sole purpose of entering a final judgment and order for
8 equitable and other relief.

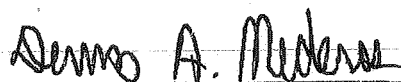
9 2. Any amendment to this Stipulation shall be made in writing, signed by the
10 District and Plaintiff, and approved by the Court.

11 3. The District and Plaintiff stipulate to entry of an order approving this Stipulation
12 subject to compliance with FRBP 4001, if required.

13 IT IS HEREBY STIPULATED AND AGREED.
14

15
16 October 23, 2018

MEDEROS, SOARES & ORMONDE

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19 Dennis A. Mederos, Attorneys for
20 Plaintiff, Senovia Gutierrez

21 October 24, 2018

22 WALTER WILHELM LAW GROUP,
23 a Professional Corporation

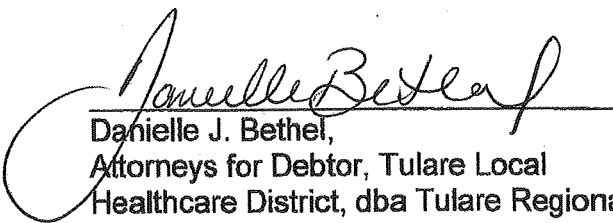
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25 Danielle J. Bethel,
26 Attorneys for Debtor, Tulare Local
27 Healthcare District, dba Tulare Regional
28 Medical Center

EXHIBIT A
Page 3 Of 3

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EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

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Fresno, CA 93721

Courtroom 13

Judge: Honorable René Lastreto II

ORDER APPROVING AGREEMENT RELATING TO RELIEF
FROM THE AUTOMATIC STAY

At Fresno, in the Eastern District of California.

The Court having received and reviewed the Motion for Approval of Agreement
Relating to Relief From the Automatic Stay, the Motion having been duly and properly
served and noticed, and there being no objection to the relief sought, and good cause
appearing,

EXHIBIT B
Page 1 Of 5

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion be
2 granted and said Stipulation attached to this Order as Exhibit "A" shall be, and hereby
3 is, adopted as the Order of this Court.

4 Presented by:

5 WALTER WILHELM LAW GROUP
6 a Professional Corporation

7
8
9 Danielle J. Bethel,
10 Attorneys for Debtor, Tulare Local
11 Healthcare District, dba Tulare Regional
12 Medical Center
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16 Dated: _____, 2018

United States Bankruptcy Judge

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26 EXHIBIT B
27 Page 2 Of 5
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9 IN THE UNITED STATES BANKRUPTCY COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 FRESNO DIVISION
12

13 In re

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DISTRICT, dba TULARE
15 REGIONAL MEDICAL CENTER,

16 Debtor.

17 Tax ID #: 94-6002897
18 Address: 869 N. Cherry Street
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21 STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO 11 U.S.C. § 362

22 TULARE LOCAL HEALTHCARE DISTRICT, dba Tulare Regional Medical Center
23 (the "District") and SENOVIA GUTIERREZ ("Plaintiff"), by and through their respective
24 counsel, hereby enter into the within Stipulation for Relief from the Automatic Stay
25 pursuant to 11 U.S.C. § 362 (the "Stipulation"). The Stipulation is made with reference
26 to the following:

28 ///

EXHIBIT B
Page 3 Of 5

RECITALS

1. On September 30, 2017, the District commenced a voluntary case under chapter 9 of title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court, Eastern District of California ("Petition Date").

2. Prior to the Petition Date, Plaintiff initiated a lawsuit against the District requesting declaratory relief pertaining to Plaintiff's status as a duly elected representative of the District's Board for Area 3, the date of administration of Plaintiff's oath as a Board Member, the date Plaintiff was declared elected as a Board Member of Area 3 of the District, as well as the scope of authorization pertaining to Plaintiff's duties as a Board Member of Area 3 of the District, in the matter styled *Senovia Gutierrez v. Tulare Local Healthcare District, dba Tulare Regional Medical Center, Richard Torrez, Michael Jamaica, Kevin Northcraft, and Does 1-25, inclusive, Tulare County Superior Court case no. 271265* (the "Lawsuit").

3. After negotiation, the District and Plaintiff (collectively, the "Parties") have reached an agreement on a final stipulated judgment, to be entered by the Tulare County Superior Court, which would resolve all of the claims encompassed by the Lawsuit.

4. Relief from the automatic stay is required in order for the Parties to conclude the Lawsuit.

5. Accordingly, the District and Plaintiff have agreed to allow the Automatic Stay to be modified pursuant to the terms and conditions stated herein.

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EXHIBIT B
Page 4 Of 5

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3 **STIPULATION AND AGREEMENT**

4 NOW, THEREFORE, subject to Court approval, the parties hereby stipulate and
5 agree as follows:

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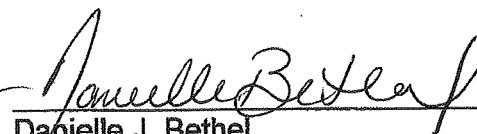
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